

**BOARD OF ADJUSTMENT
MINUTES OF MEETING
SEPTEMBER 13, 2022**

<p>CALL TO ORDER AND ROLL CALL <i>6:00 pm</i></p>	<p>Mike called the regular meeting of the Whitefish Board of Adjustment to order at 6:00 p.m. Board members present were Ian Hasson, Parker Kelly, Doug Peppmeier, Mike Kelley, and John Peschel. Senior Planner Wendy Compton-Ring and Planner Nelson Loring represented the Whitefish Planning & Building Department.</p> <p>There were approximately 4 people attending in addition to the Board members and staff.</p>
<p>AGENDA CHANGES <i>6:00 pm</i></p>	<p>None.</p>
<p>APPROVAL OF MINUTES <i>6:01 pm</i></p>	<p>ACTION: Peppmeier made a motion, seconded by Peschel to approve the August 3rd, 2022, minutes without corrections. The motion passed unanimously.</p>
<p>COMMUNICATIONS FROM THE PUBLIC (ITEMS NOT ON THE AGENDA) <i>6:01 pm</i></p>	<p>None.</p>
<p>UNFINISHED BUSINESS: <i>6:02 pm</i></p>	<p>None.</p>
<p>PUBLIC HEARING 1: DMH 37TH GP LLC, VARIANCE REQUEST <i>6:02 pm</i></p>	<p>Cate Walker of Northwest Design Studio, on behalf of DMH 37th GP LLC, is requesting a variance to the setback and height requirements for retaining walls for a new access driveway. The property is currently zoned WR-1 and is located at 1632 and 1640 West Lakeshore and can be legally described as Lake Park Addition to described as Lake Park Addition to Whitefish No 3, Block 2, Lots 2B and 3B, Section 26, Township 31 North, Range 22 West, P.M.M., Flathead County.</p>
<p>STAFF REPORT WZV 22-05 (Loring)</p>	<p>Planner Loring reviewed his staff report and findings. As of the writing of WZV 22-05. One comment was received from the landowner of Lot 4. Lot 4 landowner stated he met with the applicant, and they negotiated terms among themselves, and he no longer has any objections to the variance. Lot 4 landowner gave an earlier public comment stating he no longer opposes the variance request. Loring said this variance is similar to WZV 22-03.</p>

STAFF RECOMMENDATION	Staff recommended the Board adopt the findings of fact in staff report WZV 22-05 and approve the variance.
BOARD QUESTIONS OF STAFF	Peppmeier wanted to clarify that Finding 10 should read 1640 W Lakeshore, Loring confirmed the address is West and will make necessary adjustments.
PUBLIC HEARING	Kelley opened the public hearing.
APPLICANT / AGENCIES	<p>Cate Walker, landscape architect with Northwest Design Studios, believes the amended variance is a much better alternative to the issue they were facing.</p> <p>Kelley opened the public comment. Hasson asked Walker how much they moved the driveway and Walker confirmed the driveway moved about 14-feet to the south.</p> <p>There were no other questions for the applicant.</p>
PUBLIC COMMENT	No comment from the public.
MOTION / BOARD DISCUSSION	<p>Kelly made a motion, seconded by Peppmeier to approve the findings of fact within staff report WZV 22-05.</p> <p>Peppmeier thanked Walker for working with neighboring landowner.</p>
VOTE <i>6:14 pm</i>	The motion passed unanimously.
GOOD AND WELFARE <i>6:15 pm</i>	<p>1. Matters from Board. No meeting date for October. If there is a November meeting, Peppmeier will be standing in for Chair Kelley and Hasson will be unable to attend a November meeting.</p> <p>2. Matters from Staff. None.</p>
ADJOURNMENT <i>6:16 pm</i>	The meeting was adjourned on a motion by Kelley at approximately 6:16 pm. There is no meeting scheduled for the Board of Adjustment in October.